

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE)	
CAPITAL ONE TELEPHONE)	Master Docket No. 1:12-cv-10064
CONSUMER PROTECTION ACT)	MDL No. 2416
LITIGATION)	
)	

This document relates to:)	
)	
BRIDGETT AMADECK, et al.,)	Case No: 1:12-cv-10135
)	
v.)	
)	
CAPITAL ONE FINANCIAL)	
CORPORATION, and CAPITAL ONE)	
BANK (USA), N.A.)	

This document relates to:)	
)	
NICHOLAS MARTIN, et al.,)	Case No: 1:11-cv-05886
)	
v.)	
)	
LEADING EDGE RECOVERY)	
SOLUTIONS, LLC, and CAPITAL ONE)	
BANK (USA), N.A.)	

This document relates to:)	
)	
CHARLES C. PATTERSON,)	Case No: 1:12-cv-01061
)	
v.)	
)	
CAPITAL MANAGEMENT)	
SERVICES, L.P. and CAPITAL ONE)	
BANK (USA), N.A.)	

**DECLARATION OF DANIEL M. HUTCHINSON REGARDING
CLASS COUNSEL'S ATTORNEYS' FEES AND COSTS**

I, Daniel M. Hutchinson, declare as follows:

1. I am a member of the law firm of Lief Cabraser Heimann & Bernstein, LLP (“LCHB”), counsel of record for Plaintiffs in this matter.¹ I am admitted to this Court’s general bar and am a member in good standing of the bar of the State of California; the United States District Court for the Central, Northern, and Southern Districts of California; the United States District Court for the Eastern District of Wisconsin; and the U.S. Courts of Appeals for the First, Third, Fourth, and Ninth Circuits. Except as otherwise noted, I have personal knowledge of the facts set forth in this declaration, and could testify competently to them if called upon to do so.

2. Class counsel continue to believe that an award of attorneys’ fees, inclusive of litigation costs, based on a percentage of the settlement fund is appropriate and is preferred under the market approach adopted by the Seventh Circuit.

3. A class member recently requested, and the Court ordered production of, Class counsel’s summary time records for the persons who have performed work on behalf of the Class in this litigation. Class counsel provided that information to the class member yesterday.

4. For the sake of complete transparency, Class counsel set forth below, and have posted to the case website at <https://capitalonetcpaclasssettlement.com/>, a summary of their time records in this litigation.

5. This information supplements the Declaration of Jonathan D. Selbin in Support of Motion for Attorneys’ Fees and Service Awards (Dkt. No. 177); Declaration of Beth E. Terrell in Support of Motion for Attorneys’ Fees and Service Awards (Dkt. No. 177-2); Declaration of Keith Keogh in Support of Motion for Attorneys’ Fees and Service Awards (Dkt. No. 177-2); Declaration of Alexander H. Burke in Support of Motion for Attorneys’ Fees and Service Awards (Dkt. No. 177-2); Declaration of Rob Williamson in Support of Motion for Attorneys’

¹ Beth Terrell of Terrell Marshall Daudt & Willie PLLC also serves as Lead Counsel and Keith Keogh of Keogh Law, Ltd. serves as Liaison Class Counsel. Plaintiffs Mack, Amadeck, Kalik, Patterson, and Alarcon are represented by the following firms, respectively: Burke Law Offices, LLC, Williamson & Williams and Terrell Marshall Daudt & Willie PLLC, Keogh Law, Ltd., and Lief Cabraser Heimann & Bernstein, LLP and Meyer Wilson Co., LPA.

Fees and Service Awards (Dkt. No. 177-2); and Declaration of Matthew R. Wilson in Support of Motion for Attorneys' Fees and Service Awards (Dkt. No. 177-2).

6. Lief Cabraser Heimann & Bernstein, LLP incurred the following lodestar and costs in this litigation:

Partner

Name	Hours	Rate	Total
Jonathan Selbin	191.20	775.00	148,180.00
Daniel Hutchinson	356.30	550.00	195,965.00
	<u>547.50</u>		<u>344,145.00</u>

Associate

Name	Hours	Rate	Total
Douglas Cuthbertson	442.70	465.00	205,855.50
Nicole Sugnet	2.70	435.00	1,174.50
	<u>445.40</u>		<u>207,030.00</u>

Paralegal/Clerk

Name	Hours	Rate	Total
Richard Anthony	2.40	305.00	732.00
Todd Carnam	10.00	305.00	3,050.00
Conner Griffith	0.50	285.00	142.50
Mariana Jones	7.10	285.00	2,023.50
Ariel Leitner-Zieff	3.70	260.00	962.00
Diamond Lewis	3.50	260.00	910.00
Lionel Lints	3.80	275.00	1,045.00
Jennifer Rudnick	103.20	305.00	31,476.00
Yun Swenson	23.50	305.00	7,167.50
Alexander Zane	0.40	305.00	122.00
	<u>158.10</u>		<u>47,630.50</u>

Litigation Support / Research

Name	Hours	Rate	Total
Major Mugrage	2.00	320.00	640.00
Renee Mukerji	1.90	270.00	513.00
Cyrus Yamat	10.00	320.00	3,200.00
Anthony Grant	6.00	320.00	1,920.00
	<u>19.90</u>		<u>6,273.00</u>

Total Lodestar 1,170.90 605,078.50

Total Lodestar: \$ 605,078.50
Total Expenses: \$ 36,767.04
Total: \$ 641,845.54

7. Terrell Marshall Daudt & Willie PLLC reported incurring the following lodestar and costs in this litigation:

Professional	Role	Time	Rate	Total
Beth E. Terrell	Partner	322.8	\$ 650.00	\$ 209,820.00
Michael D. Daudt	Partner	157.1	\$ 650.00	\$ 102,115.00
Mary B. Reiten	Partner	4.4	\$ 500.00	\$ 2,200.00
Kim L. Gunning	Partner	45.0	\$ 450.00	\$ 20,250.00
Jennifer R. Murray	Partner	11.1	\$ 450.00	\$ 4,995.00
Erika L. Nusser	Associate	26.7	\$ 350.00	\$ 9,345.00
Jennifer J. Boschen	Paralegal/Clerk	14.0	\$ 250.00	\$ 3,500.00
Rachel E. Hoover	Paralegal/Clerk	3.0	\$ 250.00	\$ 750.00
Carolyn McConnell	Paralegal/Clerk	12.8	\$ 250.00	\$ 3,200.00
Eden B. Nordby	Paralegal/Clerk	17.8	\$ 250.00	\$ 4,450.00
Sam J. Strauss	Associate	12.7	\$ 250.00	\$ 3,175.00
Bradford K. Kinsey	Paralegal/Clerk	45.4	\$ 200.00	\$ 9,080.00
Hannah J. Buckendorf	Paralegal/Clerk	50.2	\$ 100.00	\$ 5,020.00
Janice C. Cole	Paralegal/Clerk	16.9	\$ 100.00	\$ 1,690.00
Total Lodestar		739.9		\$ 379,590.00

Total Lodestar: \$ 379,590.00
Total Expenses: \$ 23,991.07
Total: \$ 403,581.07

8. Keogh Law, Ltd. reported incurring the following lodestar and costs in this litigation:

Professional	Role	Years in Practice	Time	Rate	Total
Keith J. Keogh	Partner	15	713.4	\$500	\$ 356,700.00
Timothy J. Sostrin	Associate	7	120.1	\$425	\$ 51,042.50
Michael Hilicki	Associate	20	4	\$500	\$ 2,000.00
Kathreine Bowen	Associate	2	16.4	\$200	\$ 3,280.00
Matthew Seckel	Paralegal	6	24.7	\$150	\$3,705.00

\$ 416,727.50

Total Lodestar: \$ 416,727.50
Total Expenses: \$ 3,995.10
Total: \$ 420,722.60

9. Burke Law Offices, LLC, reported incurring the following lodestar and costs in this litigation:

Professional	Role	Time	Rate	Total
Alexander Burke	Partner	384.50	\$ 575.00	\$ 221,087.50
			Total Lodestar:	\$ 221,087.50
			Total Expenses:	\$ 4,666.95
			Total:	\$ 225,753.45

10. Williamson & Williams reported incurring the following lodestar and costs in this litigation:

Professional	Role	Time	Rate	Total
Rob Williamson	Partner	237.30	\$ 760.00	\$ 180,348.00
Kim Williams	Partner	241.35	\$ 650.00	\$ 156,877.50
Summary:		478.65		\$ 337,225.50
			Total Lodestar:	\$ 337,225.50
			Total Expenses:	\$ 6,770.00
			Total:	\$ 343,995.50

11. Meyer Wilson Co., LPA reported incurring the following lodestar and costs in this litigation:

Professional	Role	Years in Practice	Time	Rate	Total
Matthew R. Wilson	Principal	14	380.4	475	180,690
Daniel Freytag	Of Counsel	39	54.4	450	24,480
Michael Boyle	Associate	6	51.2	325	16,640
Nathan Forb	Law Clerk		129	250	32,250

Total Lodestar: \$ 254,060.00
Total Expenses: \$ 12,831.58
Total: \$ 266,891.58

* * *

I declare under of the laws of Illinois and the United States that the foregoing is true and correct, and that this declaration was executed in San Francisco, California on November 14, 2014.

/s/ Daniel M. Hutchinson
Daniel M. Hutchinson